

Case No. 2024-1641

**IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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ACTELION PHARMACEUTICALS LTD,

*Plaintiff-Appellant*

v.

MYLAN PHARMACEUTICALS INC.,

*Defendant-Appellee*

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On Appeal from the United States District Court for the Northern District of West Virginia, No. 1:20-cv-00110-JPB, Judge John Preston Bailey

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**NOTICE OF CORRECTION TO CONFIDENTIAL AND  
NONCONFIDENTIAL PRINCIPAL BRIEF FOR PLAINTIFF-  
APPELLANT ACTELION PHARMACEUTICALS LTD**

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Pursuant to Federal Circuit Rule 25(i), Plaintiff-Appellant Actelion Pharmaceuticals Ltd (“Actelion”) respectfully submits this Notice of Correction to its Non-Confidential Principal Brief (ECF No. 13) and Confidential Principal Brief (ECF No. 14), filed on July 18, 2024. Actelion is tendering corrected confidential and non-confidential versions of the brief to make a non-substantive correction. Specifically, the non-confidential brief filed on July 18 inadvertently omitted a

redaction on page 42 that is included in the corrected version to protect confidential information subject to a protective order entered in the underlying district court action. Likewise, the confidential brief filed on July 18 inadvertently omitted highlighting indicating the confidential status of the same information on page 42; the corrected version includes this highlighting. No other changes have been made. Actelion is concurrently filing a motion to expunge the previously filed versions of the brief.

Dated: July 22, 2024

Respectfully submitted,

/s/ Philip Warrick

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Actelion Pharmaceuticals Ltd*

**CERTIFICATE OF INTEREST**

Counsel for Appellant Actelion Pharmaceuticals Ltd certifies the following:

**1. Represented Entities.** Fed. Cir. R. 47.4(a)(1). Provide the full names of all entities represented by undersigned counsel in this case.

Actelion Pharmaceuticals Ltd

**2. Real Party in Interest.** Fed. Cir. R. 47.4(a)(2). Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.

None

**3. Parent Corporations and Stockholders.** Fed. Cir. R. 47.4(a)(3). Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.

Johnson & Johnson

Cilag Holding AG

**4. Legal Representatives.** List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

Babst, Calland, Clements & Zomnir, P.C.: Jennifer J. Hicks, Austin D. Rogers, and Timothy M. Miller

Paul Hastings LLP: Bruce M. Wexler, Christopher Hill, Aaron P. Selikson,  
Mark R. Sperling, and Preston K. Ratliff, II

Simmerman Law Office PLLC: Frank E. Simmerman, Jr., Frank E.  
Simmerman, III, and Chad L. Taylor

**5. Related Cases.** Other than the originating case(s) for this case, are  
there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

Yes (*see* ECF No. 4)

**6. Organizational Victims and Bankruptcy Cases.** Provide any  
information required under Fed. R. App. P. 26.1(b) (organizational victims in  
criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R.  
47.4(a)(6).

None

Dated: July 22, 2024

Respectfully Submitted,

*/s/ Philip Warrick*

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Philip Warrick

*Counsel for Plaintiff-Appellant  
Actelion Pharmaceuticals Ltd*